



Legislation Details (With Board Report)

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Type: General Agenda Item **Status:** Passed
File created: 5/1/2014 **In control:** Board of Supervisors
On agenda: 5/13/2014 **Final action:** 5/13/2014
Title: Adopt a Resolution amending Article V of the Monterey County Master Fee Resolution relating to Parks Department user charges for park use, enforcement, and rentals, effective June 11, 2014.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Proposed Board Resolution.pdf, 2. Proposed Article V effective June 2014.pdf, 3. Proposed Article V with tracked changes.pdf, 4. Active Network reservation fee Article V.pdf, 5. Details of proposed changes.pdf, 6. Completed Board Order & Resolution w/Attachment

Date	Ver.	Action By	Action	Result
5/13/2014	1	Board of Supervisors	approved	Pass

Adopt a Resolution amending Article V of the Monterey County Master Fee Resolution relating to Parks Department user charges for park use, enforcement, and rentals, effective June 11, 2014.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Adopt a Resolution amending Article V of the Monterey County Master Fee Resolution relating to Parks Department user charges for park use, enforcement, and rentals, effective June 11, 2014.

SUMMARY/DISCUSSION:

County Park charges are subject to review and potential amendment of Article V of the County Master Fee Resolution to better offset, but not exceed, the cost of park services and to remain competitive and comparable with like venues throughout the State of California. The attached proposed Amendment and adjustments to Article V is recommended by the staff and the Parks Commission for the Monterey County Board of Supervisors approval, with the updated Article to be effective June 11, 2014.

In addition to adjustments to formatting and section reorganizing the north county parks' day-use fees are being standardized for consistency. The proposed Article reflects an effect repeal of the separate fee surcharges approved as part of the Active Network contract and the Article V Amendment approved by the Board on July 30, 2013 (see attached Active Network Reservation Fee Article V Amendment, approved July 2013), as those fees/surcharges have now been incorporated in the actual fees collected from patrons or are absorbed by the Department as cost savings.

The most significant modification is the adjustment to rental fees for picnic/group area rentals. These rental fees are being increased to reflect the increased costs incurred by the County for the use of those areas that has not been otherwise fully recovered. This is partly due to patrons parking outside of the day-use parks and walking in for free, partially due to under-reporting of area attendees, and partly due to increased maintenance and administrative costs associated with the use of these facilities. In addition, many patrons are interested in the larger or more secluded picnic sites but do not have enough guests to meet the minimum attendance

requirements. Therefore, patrons are not satisfied and prime rental areas have remained underutilized. In order to improve on our customer service and offer all use areas unilaterally, we are requesting to eliminate the requirement to have a minimum number of guests and to include an average of day-use vehicle fees with each rental. This recommendation will allow our patrons to rent any area they wish and the Parks Department will be more successful in recapturing costs associated with all available sites.

In summary, in addition to general reorganization for clarity, the following is a list of some of the more significant changes to Article V:

1. Group Picnic reservation fees increased to include day-use passes. This will help the parks recoup lost revenue due to the many patrons who desire to park outside and do not pay the day-use entrance vehicle fees the department depends on to pay for the costs associated with the group rental sites.
 2. Distinguished Veteran military discount - Free entrance per day for camping and day use in all parks. Not valid during Special Events.
 3. Tiered annual permit to give patrons the ability to choose an annual day-use pass that meets their recreational needs and allows the department to offer a better product range of services. The specifics of the new Tiers are set forth in the end note to the proposed Article.
 4. New annual dog and horse pass/fees for the equestrian area at North Shore Lake San Antonio.
 5. Boating Fees adjusted to help offset the increased cost of the Quagga Mussel Inspection Program. The lake reservoirs are particularly vulnerable to threats from aquatic invasive species like the Quagga Mussels that would compete with native species for food, alter water chemistry, foul water delivery system to the Salinas Valley, increase maintenance costs, and could result in temporary or permanent closure of the reservoirs to recreational boating. Inspections are performed at Monterey County Parks Department entry gates.
 6. The track fees are currently presented in the format presented by the administrator of the track program, with updated fees for 2014.
- (These changes are more specifically set forth in the attached Tracked Changes version of the Proposed Article V, and the 'Details of Proposed Changes'; the Active Network approved fees are provided for reference.)

The implementation of these adjusted charges is designed to meet operational expenses, while not exceeding the cost of services, and is statutorily exempt from environmental review [Pub., Res. Code. Sec. 21080 subd.(b) (8)]. In all cases, any and all adjustments to existing charges and new charges for services reflect no more than the actual cost of the service or benefit received by the park patron. Lastly, and in summary, by definition, these new and adjusted user charges are not a 'tax' and are exempt from voter approval pursuant to Article XIII C, section 1(e), subpars. 1, 2, 3, 4, and 5 of the California Constitution (charges arising from benefit received by payor, burden on government to provide services, administrative enforcement, use/admission costs to enter/use government property, and/or enforcement penalties).

OTHER AGENCY INVOLVEMENT:

On February 1, 2013 the Monterey County Parks Commission voted to approve the proposed fee increase. Counsel has reviewed approved the resolution as to form.

FINANCING:

The requested changes in fees do not exceed the reasonable costs of the Parks Department's services. The manner in which those costs are allocated to the patron bear a direct and reasonable relationship to the patron burdens on or benefits received from the parks system activities. The Military Discounts will have a minimal impact on the park services, and such discounts do not result in an increase of charges imposed on others. Anticipated approved increases have been included in the department's Year-End Estimate and Three Year

Forecast. There is no effect to General Fund Contribution as a result of this action.

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Approved by: Nick Chiulos, Assistant CAO/Interim Parks Director, 831-755-4895

Attachments on file with Clerk of the Board:

Proposed Board Resolution

Proposed Article V - Park User Fees (effective June 11, 2014)

Proposed Article V - Park User Fees (w/Tracked Changes)

Active Network Reservation Fee Article V Amendment, approved July 2013

Details of Proposed Changes